

#4

MAY 24 1993

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In re Application of	:
Scott W. Lewis	:
Serial No. 07/977,033	: DECISION DISMISSING
Filed: February 11, 1993	: PETITION
Attorney Docket No. JAS-131	:

The petition filed February 11, 1993, requesting that the above-identified application be accorded a filing date of November 13 (sic, November 16), 1992, is dismissed, because the petition was not accompanied by the \$130.00 petition fee required by 37 CFR 1.17(h), amended effective December 16, 1991. See MPEP 506.02.

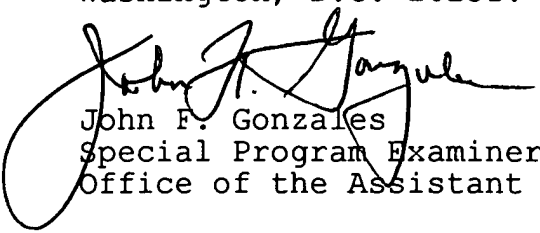
Upon receipt of the \$130.00 petition fee, the petition will be considered and a decision rendered thereon.

Applicant is reminded that any petition requesting a filing date absent all figures of drawings described in the specification must comply with the requirements of MPEP 608.02, page 600-52.

The application is presently entitled to a filing date of February 11, 1993, the date of receipt of Figure 2C. However, the declaration filed November 16, 1992, does not refer to Figure 2C, since the file shows that the drawing was not received with the declaration. Also, the declaration filed on February 11, 1993, refers to an "attached" specification, but no specification was attached. Accordingly, a supplemental oath or declaration by the inventor stating that the drawing of Figure 2C filed on February 11, 1993, accurately depicts his invention and was a part of his invention when it was filed is required. See MPEP 608.02, page 600-52.

The petition fee required above or the supplemental oath or declaration referring to the drawing filed on February 11, 1993, must be filed within TWO MONTHS of the date of this decision in order to avoid abandonment of the application. This time period may be extended pursuant to 37 CFR 1.136(a). The response should

be addressed to the attention of the Office of the Assistant
Commissioner for Patents, Crystal Park Building 2, Room 919,
Washington, D.C. 20231.



John F. Gonzales
Special Program Examiner
Office of the Assistant Commissioner for Patents

JFG